

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

OREGON NATURAL RESOURCES
COUNCIL FUND, et al.,

Case No. 03-478-HO

ORDER

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT,
et al.,

Defendants.

Plaintiff's filed a motion for entry of judgment to implement the mandate of the court of appeals. Defendants filed a motion to dismiss the case as moot on the ground that all activities associated with the challenged timber sale project have been completed. This action is not moot because a proper analysis of the cumulative impact of the project with past, present and reasonably foreseeable future logging projects could cause the Bureau of Land Management (BLM) to decide to mitigate the impact of the project or alter decisions regarding future

projects. Oregon Natural Resources Council v. United States Bureau of Land Management, 470 F.3d 818, 821-22 (9th Cir. 2006).

The court will enter judgment requiring the BLM to complete a revised environmental assessment for the Mr. Wilson project. Id. at 823. The judgment will include declaratory relief, but not an injunction against project activities, which have been completed.

Conclusion

Based on the foregoing, plaintiffs' motion for entry of judgment [#197] is granted; defendants' motion to dismiss [#203] is denied.

IT IS SO ORDERED.

DATED this 19th day of February, 2008.

s/ Michael R. Hogan
United States District Judge